

EXHIBIT 7

MANUEL MENENDEZ

Page 1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

- - -

MLEA, INC. :
-vs- :
ATLANTIC RECYCLED RUBBER, INC., :
RECOVERY TECHNOLOGIES GROUP, INC. :
and CASELLA WASTE SYSTEMS, INC. :No. 02-CV-4393

- - -

Oral deposition of MANUEL MENENDEZ, was
taken pursuant to notice, held at BUCHANAN INGERSOLL,
P.C., Eleven Penn Center, 14th Floor, Philadelphia,
Pennsylvania, at 9:10 a.m., on August 15, 2003,
before Kristen Augello, Court Reporter and Notary
Public, there being present:

- - -

ZANARAS REPORTING AND VIDEO

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14 Philadelphia, Pennsylvania 19103

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16 Attorney for the Defendant, Casella Waste Systems,
17 Inc.

18

19 ECKERT SEAMANS

20 BY: JOHN O'RIORDAN, ESQUIRE

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24 Attorney for the Defendants, ARR and RTG

1 just move to the specific parts then,
2 as long as he is able to read the
3 Interrogatory you want information
4 about?

5 BY Mr. MCCORMICK:

6 Q. Menendez-15 is Plaintiff MLEA's
7 objections and answers to Defendant Casella Waste
8 System's first set of Interrogatories. Mr. Menendez,
9 did you provide any assistance in drafting these
10 Interrogatories or responses?

11 A. Probably, yes.

12 Q. In the answer to number one, response
13 number one on Page 2, about midway through the
14 paragraph --

15 MR. KATAUSKAS: Let him read the
16 Interrogatory and the answer.

17 THE WITNESS: Okay.

18 BY Mr. MCCORMICK:

19 Q. About midway through the paragraph it
20 has the answer on Page 2, there's a sentence that
21 reads: Oral representations are known to Messrs.
22 Timberlake, Menendez and Del Gaizo, referring to the
23 oral representations in Paragraph 1. What are those
24 specific oral representations that were made to you?

1 A. Referring to the fact that they wanted
2 the plant, and they wanted the plant quickly. I had
3 meetings with Bill Meckert, Steve Benison, John
4 Riordan, in Truro. We went up, visited the site,
5 looked at where the plant was going to go, discussed
6 the foundation requirements. Actually twice that
7 happened, we went up there and did that. Reviewed
8 the progress of the plant, saw the second time
9 actually the LiNC tank was already installed, and we
10 were discussing the installation of the line to
11 supply the liquid nitrogen into the grinding area.
12 There were many indications that they were very quick
13 -- they wanted this plant on line very quickly.
14 They had a tight schedule. They wanted the plant
15 operating by the end of May, and they were pressing
16 on us to get the equipment delivered. I recall one
17 conversation in particular with John Riordan about
18 early February when they were finalizing the delivery
19 requirements on all the pieces of equipment, pretty
20 much everything was purchased, and finalizing final
21 delivery dates, and we were going through a schedule
22 of when the equipment was arriving, and one piece in
23 particular was arriving very late in May, and John
24 Riordan got upset about that because the plant was

1 supposed to be on line two or three days later. It
2 was obviously going to be a difficult thing for us to
3 accomplish. That piece of equipment was running
4 later than expected. John Riordan got very upset
5 about that, and angry with me about the fact we were
6 delaying the project.

7 Q. Other than the one specific
8 conversation you just had with Mr. Riordan, do you
9 recall any other specific conversations or
10 discussions with anyone at RTG or ARR?

11 A. Specifics, no, but again, all the
12 discussions we ever had with them about the schedule
13 were always of an urgent nature, delivery and
14 schedule of the equipment was always a prime
15 consideration.

16 Q. How about any representations that the
17 deal would actually be completed?

18 MR. KATAUSKAS: Objection to the
19 form, deal.

20 BY MR. MCCORMICK:

21 Q. That the Truro project would ever be
22 completed, were there specific representations that
23 the Truro project would be completed?

24 A. Yes.